



Nigeria

International Religious Freedom Report 2005

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There was no change in the status of respect for religious freedom during the period covered by this report.

Interreligious tension between Christians and Muslims remained high in some areas, and there were several violent economic, ethnic, and political conflicts that took on religious overtones. A government census is scheduled for 2005, the first since 1991. The Muslim and Christian communities each believe the census will show them to be the majority, and many in both communities remain apprehensive of being a minority.

The U.S. Government broached and actively pursued several religious freedom-related issues, and this is an important part of the U.S. Mission's program. The Ambassador and the Mission have taken an active role in discussing and advocating these issues with government, religious and community leaders, and are involved in these issues country-wide. The Mission has also devoted substantial funding and projects to various aspects of religious freedom and outreach, which were implemented by several agencies and sections of the Mission.

Section I. Religious Demography

The country has an area of 356,700 square miles and its population is estimated at 137 million. There are no accepted figures for the proportion of Nigerians who practice Islam or Christianity; it is generally assumed the numbers are roughly equal, and that there are a substantial number who practice traditional indigenous religions alongside Christianity or Islam. The predominant form of Islam in the country is Sunni. The Christian population includes Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, and a growing number of Evangelical and Pentecostal Christians and Latter-day Saints (Mormons).

There is a strong correlation between religious differences and ethnic and regional diversity. The north, dominated by the large Hausa and Fulani ethnic groups, is predominantly Muslim with significant numbers of Christians. Both Muslims and Christians are found in large numbers in the Middle Belt. In the southwest, where the large Yoruba ethnic group is the majority, there is no dominant religion. Most Yorubas practice either Christianity or Islam, while others continue to practice the traditional Yoruba religion, which includes a belief in a supreme deity and the worship of lesser deities that serve as the supreme deity's agents in aspects of daily life. In the east, where the large Igbo ethnic group is dominant, Catholics, Anglicans, and Methodists are the majority, although many Igbos continue to observe traditional rites and ceremonies in tandem with Christianity.

The Government has announced that it will conduct a nationwide census within the next year, and there has been much controversy over whether to count religion and ethnicity.

Christian missionaries from many denominations operate freely. Rough estimates put the number of foreign Christian missionaries at more than 1,000 with many residing in the area around Jos in the Middle Belt's Plateau State. Many Christian missionaries have been present for a decade or longer. There are fewer foreign Muslim missionaries, and they generally stay for shorter periods of time than their Christian counterparts.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief through worship, teaching, practice, and observance. While the Federal Government generally respects religious freedom, there were some instances in which limits were placed on religious activity to address

security and public safety concerns.

The Government remained a member of the Organization of the Islamic Conference during the period covered by this report. However, there is no state religion.

There are 36 states; governors have substantial autonomy in all decision making but derive the vast majority of their resources from the Federal Government. The Constitution prohibits state and local governments from adopting an official religion; however, some Christians have alleged that Islam has been adopted as a de facto state religion in several northern states, citing the reintroduction of criminal law aspects of Shari'a and the continued use of state resources to fund the construction of mosques, the teaching of Kadis (Shari'a judges), and pilgrimages to Mecca (Hajj). However, several states, including northern states, use government revenues to fund Christian activities, including pilgrimages to Jerusalem. In general, state governments, whether dominated by Christians or Muslims, tend to lean toward the faith practiced by the majority of residents.

The Constitution provides that states may elect to use Islamic (Shari'a) laws and courts. There are 12 northern states that have adopted at least parts of Shari'a law--Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, Zamfara, and Gombe. Adherence to Shari'a provisions is compulsory for Muslims in some states and optional in others. Non-Muslims are not required in any state to submit to Shari'a jurisdiction. In some states they have the option, which may work to a defendant's advantage when the penalty under Shari'a is less severe, such as paying a fine rather than a jail sentence under secular law. Defendants have the right to challenge the constitutionality of Shari'a criminal statutes through the secular courts. As in the previous reporting period, no challenges with adequate legal standing reached the secular appellate system. The Constitution also provides for the Federal Government to establish a Federal Shari'a Court of Appeal and a Final Court of Appeal; however, the Government has not yet established such courts.

Christian and Islamic groups planning to build new churches or mosques are required by law to register with the Corporate Affairs Commission (CAC). The CAC did not deny registration to any religious group during the period covered by this report. Many nascent churches and Islamic congregations ignored the registration requirement, and a small number, most notably those in Abuja, had their places of worship shut down or demolished when the zoning laws were enforced.

Both Federal and state governments were involved in the regulation of mandatory religious instruction in public schools.

Some state governors actively encouraged interfaith and interethnic discussions and took steps to prevent further violence and tension. The Government encouraged the activities of nongovernmental organizations (NGOs) such as the Kano-based Inter-Ethnic Forum, the Kaduna-based Inter-Faith Mediation Center, and the Muslim/Christian Dialogue Forum. At the national level, the Government established an Inter-Religious Council, consisting of prominent Muslim and Christian leaders.

Each year the Government observes the following Islamic and Christian holy days as national holidays: Eid al-Adha, Eid al-Fitr, Good Friday, Easter Monday, the Prophet Muhammed's birthday, Christmas, and Boxing Day.

Restrictions on Religious Freedom

The Government required permits for outdoor public functions; government authorities and those assembling often ignored this requirement. In June 2005, an Abuja High Court ruled that long-standing legal provisions banning gatherings whose political, ethnic, or religious content might lead to unrest were unconstitutional.

Several state governments continued to ban public mass-rally proselytizing to avoid ethno-religious violence. However, some proselytizing groups remained active despite these formal bans, which generally were enforced on a case-by-case basis, and large outdoor religious gatherings were still common. In August 2004, Kwara State authorities cut short a planned 5-day rally by German evangelist Reinhard Bonnke after only 2 days, citing security concerns.

In 2003, the National Broadcasting Commission ruled that televangelists who broadcasted religious miracles would be required to provide evidence to prove the authenticity of the alleged miracles. The Lagos High Court ordered a suspension of the ruling pending its hearing of a lawsuit contesting the policy. The suit was not heard during the reporting period, and some evangelists continued to broadcast miracles.

Although distribution of religious publications was generally unrestricted, the Government sporadically enforced a ban against broadcasting religious advertisements on state-owned radio and television stations.

In Zamfara State, all criminal cases involving Muslims must be heard by a Shari'a court. Other states with Shari'a law permit Muslims to choose secular courts for criminal cases; however, societal pressure compelled most Muslims to use the Shari'a court system. There were complaints that some Kadis (Shari'a judges) applied harsher penalties in adultery and fornication cases against women than in such cases against men and that stronger evidence was required to convict men than to convict women.

There are no laws barring women or any groups from testifying in secular court or that give less weight to their testimony; however, the testimony of women and non-Muslims usually is accorded less weight in Shari'a courts.

In the north, there is a long tradition of separating schoolchildren according to gender. Some form of gender segregation occurred in many secondary schools in the north. In December, the Kano State Commissioner of Education announced that public and private school pupils should observe "decent standards of dress," although non-Muslim girls would not be required to wear the hijab headscarf.

The federal Government continued to ban religious organizations from primary school campuses although individual students retained the right to practice their religions in registered places of worship. The Constitution does not require students to receive instruction in a religion other than their own; however, the Ministry of Education requires public school students to undergo either Islamic or Christian religious instruction. State authorities claim that students are permitted not to attend classes taught in a religion other than their own and that students may request a teacher of their own religion to provide alternative instruction. However, there were often no teachers of "Christian Religious Knowledge" in many northern schools, and of "Muslim Religious Knowledge" in some southern schools.

Christians in the predominantly Muslim northern states continued to allege that local government officials used zoning regulations to stop or slow the establishment of new churches. Muslims continued to complain that they were denied permission to build mosques in predominantly Christian southern states. Officials responded that many of these new churches and mosques were being constructed in residential neighborhoods not zoned for religious purposes. State officials also stated that the certification boards were dealing with a large backlog of cases for all applicants regardless of religious faith.

Although the expanded Shari'a laws technically do not apply to non-Muslims, the non-Muslim minority has been affected by certain social provisions associated with Shari'a, such as the separation of the sexes in public schools, and health and transportation services. Many social provisions associated with Shari'a have roots in the country's pre-Islamic societies and were in practice before the states adopted Shari'a. Although most states have not criminalized alcohol consumption by non-Muslims, in May 2004, Kano State announced that non-Muslims will be fined approximately \$380 (50,000 naira) or up to a year in prison for drinking or selling alcohol in certain public places; however there were no reports of non-Muslims being penalized during the reporting period. In some northern states, the sale and public consumption of alcohol have been restricted, except on Federal Government installations, such as military and police barracks. Kano State announced in May that commercial motorcycle taxis could no longer take women as passengers because, it claimed, the transport of women on motorcycles was contrary to Shari'a (Islamic law). The state government did not cite any specific Quranic references in announcing the ban. Both Muslim and non-Muslim women were affected by the ban. Some other states continued to offer only gender-segregated transportation.

Abuses of Religious Freedom

The Constitution permits capital punishment; although several Shari'a courts, as well as secular courts, sentenced persons to death, no Shari'a death sentences were implemented during the period covered by this report.

In September 2004, in Bauchi State, Daso Adamu, a nursing mother, was sentenced to death by stoning when she initially admitted to having sex with her first husband after her second husband absconded. The man was freed for lack of evidence. In October, she was released on bail on the grounds that she was breastfeeding. In December, a Shari'a appeals court vacated the conviction and sentence, ruling that her pregnancy was insufficient evidence to convict her.

In October 2004, in Bauchi State, Hajara Ibrahim was sentenced to death by stoning for adultery after becoming pregnant outside of wedlock. According to the Shari'a court that convicted her, she confessed to having sex with a man who had promised to marry her. The man denied meeting her and was released for lack of evidence. The defendant appealed the sentence, stating that she should have been charged with the lesser crime of fornication, rather than adultery. In November, a Shari'a appeals court overturned the conviction and sentence, ruling that she had never consummated an arranged marriage, and therefore should never have been charged with adultery.

The Nigeria Legal Aid Council agreed to appeal 30 Shari'a convictions and death sentences in Bauchi State. In one case, an 18-year-old man, Saleh Dabo, alleged that police told him he could plead guilty to rape, and he would be released; instead, a court sentenced him to death by stoning for adultery, even though he is not married. The appeal has not yet been heard.

Muslims convicted of crimes under Shari'a law were sentenced to public caning for minor offenses, such as petty theft, public consumption of alcohol, and prostitution. Unlike in the past, there were no reports that states administered amputations or canings pursuant to Shari'a law during the period covered by this report. There are numerous Shari'a cases pending appeal or implementation of sentence, including pending amputation and stoning sentences in Jigawa, Bauchi, Niger, Kano, and Zamfara States. Many of these cases have been delayed continuously for various reasons.

In May 2005, a Shari'a Appeals Court in Kaduna overturned amputation sentences that had been passed in 2003 against six Zaria men who had been accused of stealing a cow and a motorcycle. The Appeals Court ruled that the lower court had erred in convicting the men solely on the basis of police testimony, without allowing the men to defend themselves. The men also had not had access to legal representation, as required by the Kaduna State Shari'a code.

Human rights groups reported that many indigent persons convicted of Shari'a offenses claimed they had not known they were entitled to legal representation.

A number of states with expanded Shari'a law have sanctioned private Shari'a enforcement vigilante groups (known as Hisbah). In some cases these groups have had authority to make arrests, but generally the groups are empowered only to "advise" possible Shari'a offenders. The Hisbah groups were not very active during the period covered by this report.

In 2003, the Kaduna State Court ordered the Government to release an imam from the Kaduna central mosque whom the Government had detained earlier that year. The Government did not respond to the court order, nor produce the imam. The imam is assumed to still be in custody, although there have been no updates during the period covered by this report. There were no other reports of religious prisoners or detainees.

There were also instances of violence by security forces.

On October 15, 2004, the second day of the Muslim holy month of Ramadan, police killed two persons and wounded three or four others in Gusau, the capital of mostly Muslim Zamfara State in the northwest. A crowd had approached the state government's building to demand traditional Ramadan alms from the Zamfara State Governor. Police at the gates stopped the crowd from advancing, a scuffle ensued, and police opened fire.

The Adamawa State governor dethroned the ethnic Bachama traditional ruler for his role in inciting violence between ethnic Bachama Christians and ethnic Hausa Muslims in Numan in June 2004. Later the governor named a new traditional leader for the Bachama. In early February 2005, police killed at least two persons and arrested at least 30 others who were protesting the appointment of the new ruler, claiming that he had no mandate to rule over them.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

Interreligious tension between Christians and Muslims remained high in some areas, and there were several violent economic, ethnic, and political conflicts that took on religious overtones.

Religious differences often mirror regional and ethnic differences. For example, persons in the North and in parts of the Middle Belt are overwhelmingly Muslim and from the large Hausa and Fulani ethnic groups that tend to dominate these areas. Many southern ethnic groups are predominantly Christian. In many areas of the Middle Belt, Muslim Fulani tend to be pastoralists, while the Muslim Hausa and most Christian ethnic groups tend to be farmers or work in urban areas. Consequently ethnic, regional, economic, and land use competition often coincide with religious differences between the competing groups.

It is not unusual for different ethnic groups with a long history of conflict to have adopted different religions with the effect of exacerbating existing tensions. Communal conflicts in Plateau and Kano States in 2004 led to deaths of thousands and a state of emergency in Plateau State for much of the reporting period. The suspended state government returned to office when the state of emergency expired in November. There have been minor incidents of violence in Plateau State since, but not on the scale of the previous reporting period.

Predominantly ethnic/economic confrontations broke out during the reporting period in Jigawa, Kogi, Adamawa, Bauchi, Plateau, Benue, Kwara, and Taraba States, sometimes spilling over into religious conflict. Numerous persons were killed, injured, or displaced as a result of these conflicts. There were incidents in which mobs, aroused by economic, land, and political disputes, arbitrarily targeted persons of specific religious and ethnic affiliations.

There were also instances of violence primarily based on religious issues and/or because of their religious affiliations. In February in Sokoto State, at least three persons were killed and dozens injured in fighting between groups of Sunni and Shi'a Muslims. Shi'a supporters of militant Sheikh Zakzaky claimed their public commemoration of Ashura was attacked in an attempt to stop their procession, and one person was killed. They blamed the Sultan of Sokoto, who is the head of Nigeria's Supreme Council for Islamic Affairs, and some days later there was a fight at the mosque in front of the Sultan's palace.

On December 9 2004, at a major university in Bauchi State, a group of Muslim students abducted and killed the head of a Christian campus organization in retaliation for what they considered to be insults to Islam by Christian students. As tensions grew and property was vandalized, authorities responded by closing the university and a nearby polytechnic. Authorities subsequently established an interfaith dialogue and the university reopened for exams on February 28, while the polytechnic reopened on April 12. No further violence was reported.

No further action was taken, nor is further action likely, in connection with the church and mosque burnings in Kebbi, Kaduna,

Ebonyi, and Jigawa States in 2004. No one remained in detention from these incidents, nor is further action likely in relation to the 2003 unrest in Jigawa and Plateau States.

The law prohibits religious discrimination in employment and other practices; however, private businesses frequently discriminated on the basis of religion or ethnicity in their hiring practices and purchasing patterns. In nearly all states, ethnic rivalries between "indigene" groups and "settlers" led to some societal discrimination against minority ethnic and religious groups.

Although many non-Muslims feared that implementation of Shari'a would change their way of life, there has been little or no change in the daily lives of most non-Muslims. While some state and local governments interpreted the new Shari'a laws stringently, the majority of states and local governments interpreted and implemented their laws less stringently. There also is a trend developing among some segments of the Muslim community to shift focus away from the criminal law aspects of Shari'a law to its tenets of social justice and charity for the poor. Islamic scholars and many Muslim lawyers have begun educating the poor and the less well informed about their procedural rights under Shari'a. Several lawyers offer free services to the indigent in cases with potentially severe punishments.

In many areas, girls are discriminated against in their access to education for social and economic reasons; religious beliefs sometimes are a factor. Girls living in the more traditional rural areas, both in the predominantly Muslim north and the predominantly Christian south, are disadvantaged more than their urban counterparts.

Section IV. U.S. Government Policy

The U.S. Mission regularly raised religious freedom issues with various federal, state, and local officials, and with prominent citizens. The U.S. Government, through the U.S. Mission and in statements from officials in Washington, sought to encourage a peaceful resolution of the question regarding Shari'a criminal penalties in a way that would be compatible with recognized international human rights norms and urged that human rights and religious freedom be respected in all instances.

The U.S. Mission made an especially strong effort to promote religious reconciliation between Christians and Muslims. The Mission hosted Iftars in both Abuja and Lagos, along with an Iftar in the predominantly Muslim Kwara State, in which both Muslims and Christians participated. Mission officers traveled extensively to the individual states to meet with Christian and Muslim leaders throughout the year and further that outreach.

The U.S. Mission reached out to Muslim communities in several programs, including the International Visitor Program, the American Speaker Program, the Fulbright Senior Scholar Program, the Humphrey Fellowship Program. The U.S. Mission also continued publishing its informational magazine in Hausa, the language of the predominantly Muslim north.

In August 2004, the Mission nominated Kano State Radio news manager Ali Lawal Umar to participate in the "Pluralism and Religious Diversity" tour program organized by the Foreign Press Center in Washington from August 2-13. On his return to Nigeria, Mr. Umar wrote news reports and commentaries urging the Kano community to learn from the U.S. experience. He also hosted two 30-minute discussion programs that brought Muslim and Christian leaders together to examine pluralism and peaceful coexistence based on Mr. Umar's U.S. tour experience.

In December 2004, the Embassy presented ACCESS Micro-Scholarships to 20 talented needy students, 10 each in the Muslim heartlands of Kano and Zaria, to acquire a good education through enhanced English language teaching. In accepting the awards, the principals of the benefiting schools said the inclusive process of selecting the students has sown a seed of respect for diversity and tolerance for religious differences.

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